UNITED NATIONS

GENERAL ASSEMBLY

Distr:
GENERAL

A/CN.9/353
5 June 1991

ORIGINAL: ENGLISH

UNITED NATIONS COMMISSION ON
INTERNATIONAL TRADE LAW
Twenty-fourth session
Vienna, 10 - 28 June 1991

STATUS OF CONVENTIONS

Note by the Secretariat

1. At its thirteenth session the Commission decided that it would consider, at each of its sessions, the status of conventions that were the outcome of work carried out by it. a/

2. The present note is submitted pursuant to that decision. The annex hereto sets forth the state of signatures, ratifications, accessions and approvals as of 1 June 1991 to the following conventions: Convention on the Limitation Period in the International Sale of Goods (New York, 1974); Protocol amending the Convention on the Limitation Period in the International Sale of Goods (Vienna, 1980); United Nations Convention on the Carriage of Goods by Sea, 1978 (Hamburg); United Nations Convention on Contracts for the International Sale of Goods (Vienna, 1980); United Nations Convention on International Bills of Exchange and International Promissory Notes (New York, 1988); United Nations Convention on the Liability of Operators of Transport Terminals in International Trade; and Convention on the Recognition and Enforcement of Foreign Arbitral Awards (New York, 1958). The latter Convention, which has not emanated from the work of the Commission, has been included because of the close interest of the Commission in it, particularly in connection with the Commission's work in the field of international commercial arbitration. In addition, the annex sets forth those jurisdictions that have enacted legislation based on the UNCITRAL Model Law on International Commercial Arbitration.

3. Since the most recent report in this series showing the status of conventions as of 16 May 1990 (A/CN.9/337), the Convention on the Limitation Period in the International Sale of Goods received 1 additional accession (Guinea), the Protocol amending that Convention received 1 additional accession (Guinea), the United Nations Convention on Contracts for the International Sale of Goods has received 7 additional ratifications or accessions (Bulgaria, Canada, Guinea, Netherlands, Romania, Spain and Union of

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a/ Report of the United Nations Commission on International Trade Law on the work of its thirteenth session, Official Records of the General Assembly, Thirty-fifth Session, Supplement No. 17 (A/35/17), para. 163.

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Soviet Socialist Republics), the United Nations Convention on the Carriage of Goods by Sea, 1978 ("Hamburg Rules") has received 2 additional ratifications or accessions (Guinea and Malawi), the Convention on the Recognition and Enforcement of Foreign Arbitral Awards has received 2 additional accessions (Côte d'Ivoire and Guinea), and the United Nations Convention on International Bills of Exchange and International Promissory Notes (New York, 1988) received one accession (Guinea). The United Nations Convention on the Liability of Operators of Transport Terminals in International Trade, which was adopted on 19 April 1991, was signed by three States (Mexico, Philippines and Spain). Legislation based on the UNCITRAL Model Law on International Commercial Arbitration has been enacted in addition in Scotland.

4. The names of the States that have ratified or acceded to the conventions since the preparation of the last report are underlined.

1. Convention on the Limitation Period in the International Sale of Goods (New York, 1974)

State	Signature	Ratification Accession Approval	Entry into force
Argentina		9 October 1981	1 August 1988
Brazil	14 June 1974		
Bulgaria	24 February 1975		
Byelorussian SSR	14 June 1974		
Costa Rica	30 August 1974		
Czechoslovakia	29 August 1975	26 May 1977	1 August 1988
Dominican Republic		23 December 1977	1 August 1988
Egypt		6 December 1982	1 August 1988
Germany */			
Ghana	5 December 1974	7 October 1975	1 August 1988
Guinea		23 January 1991	1 August 1991
Hungary	14 June 1974	16 June 1983	1 August 1988
Mexico		21 January 1988	1 August 1988
Mongolia	14 June 1974		
Nicaragua	13 May 1975		
Norway 1/	11 December 1975	20 March 1980	1 August 1988
Poland	14 June 1974		
Ukrainian SSR	14 June 1974		
USSR	14 June 1974		
Yugoslavia		27 November 1978	1 August 1988
Zambia		6 June 1986	1 August 1988

Signatures only: 9; ratifications and accessions: 11 */

*/ The Convention was signed by the former German Democratic Republic on 14 June 1974, ratified by it on 31 August 1989 and entered into force on 1 March 1990.

Declarations and reservations

1/ Upon signature Norway declared, and confirmed upon ratification, that in accordance with article 34 the Convention would not govern contracts of sale where the seller and the buyer both had their relevant places of business within the territories of the Nordic States (i.e. Norway, Denmark, Finland, Iceland and Sweden).

2. Protocol amending the Convention on the Limitation Period in the International Sale of Goods (Vienna, 1980)

State	Accession	Entry into force
Argentina	19 July 1983	1 August 1988
Czecholoslovakia 1/	5 March 1990	1 October 1990
Egypt	6 December 1982	1 August 1988
Germany */		
Guinea	23 January 1991	1 August 1991
Hungary	16 June 1983	1 August 1988
Mexico	21 January 1988	1 August 1988
Zambia	6 June 1986	1 August 1988

In accordance with articles XI and XIV of the Protocol, the Contracting States to the Protocol are considered to be Contracting Parties to the Convention on the Limitation Period in the International Sale of Goods as amended by the Protocol in relation to one another and Contracting Parties to the Convention, unamended, in relation to any Contracting Party to the Convention not yet a Contracting Party to this Protocol. The four States that are parties to the unamended Convention are Dominican Republic, Ghana, Norway and Yugoslavia.

*/ The Protocol was acceded to by the former German Democratic Republic on 31 August 1989 and entered into force on 1 March 1990.

Declarations and reservations

1/ Upon accession, Czechoslovakia declared that, pursuant to Article XII, it did not consider itself bound by Article I.

3. United Nations Convention on the Carriage of Goods by Sea, 1978 (Hamburg)

State	Signature	Ratification Accession	Entry into force
Austria	30 April 1979		
Barbados		2 February 1981	
Botswana		16 February 1988	
Brazil	31 March 1978		
Burkina Faso		14 August 1989	
Chile	31 March 1978	9 July 1982	
Czechoslovakia 1/	6 March 1979		
Denmark	18 April 1979		
Ecuador	31 March 1978		
Egypt	31 March 1978	23 April 1979	
Finland	18 April 1979		
France	18 April 1979		
Germany	31 March 1978		
Ghana	31 March 1978		
Guinea		23 January 1991	
Holy See	31 March 1978		
Hungary	23 April 1979	5 July 1984	
Kenya		31 July 1989	
Lebanon		4 April 1983	
Lesotho		26 October 1989	
Madagascar	31 March 1978		

State	Signature	Ratification Accession	Entry into force
Malawi		18 March 1991	
Mexico	31 March 1978		
Morocco		12 June 1981	
Nigeria		7 November 1988	
Norway	18 April 1979		
Pakistan	8 March 1979		
Panama	31 March 1978		
Philippines	14 June 1978		
Portugal	31 March 1978		
Romania		7 January 1982	
Senegal	31 March 1978	17 March 1986	
Sierra Leone	15 August 1978	7 October 1988	
Singapore	31 March 1978		
Sweden	18 April 1979		
Tunisia		15 September 1980	
Uganda		6 July 1979	
United Rep. of Tanzania		24 July 1979	
United States of America	30 April 1979		
Venezuela	31 March 1978		
Zaire	19 April 1979		

Signatures only: 22; ratifications and accessions: 19

Ratifications and accessions necessary to bring the Convention into force: 20

Declarations and reservations

1/ Upon signing the Convention the Czechoslovak Socialist Republic declared in accordance with article 26 a formula for converting the amounts of liability referred to in paragraph 2 of that article into the Czechoslovak currency and the amount of the limits of liability to be applied in the territory of the Czechoslovak Socialist Republic as expressed in the Czechoslovak currency.

4. United Nations Convention on Contracts for the International Sale of Goods (Vienna, 1980)

State	Signature	Ratification Accession Approval Acceptance	Entry into force
Argentina 1/		19 July 1983	1 January 1988
Australia		17 March 1988	1 April 1989
Austria	11 April 1980	29 December 1987	1 January 1989
Bulgaria		9 July 1990	1 August 1991
Byelorussian S.S.R. 1/		9 October 1989	1 November 1990
Canada 8/ 9/		23 April 1991	1 May 1992
Chile 1/	11 April 1980	7 February 1990	1 March 1991
China 2/	30 September 1981	11 December 1986	1 January 1988
Czechoslovakia 3/	1 September 1981	5 March 1990	1 April 1991
Denmark 4/ 5/	26 May 1981	14 February 1989	1 March 1990
Egypt		6 December 1982	1 January 1988
Finland 4/ 5/	26 May 1981	15 December 1987	1 January 1989
France	27 August 1981	6 August 1982	1 January 1988

State	Signature	Ratification Accession Approval Acceptance	Entry into force
Germany */ 7/	26 May 1981	21 December 1989	1 January 1991
Ghana	11 April 1980		
Guinea		23 January 1991	1 February 1992
Hungary 1/ 6/	11 April 1980	16 June 1983	1 January 1988
Iraq		5 March 1990	1 April 1991
Italy	30 September 1981	11 December 1986	1 January 1988
Lesotho	18 June 1981	18 June 1981	1 January 1988
Mexico		29 December 1987	1 January 1989
Netherlands	29 May 1981	13 December 1990	1 January 1992
Norway 4/ 5/	26 May 1981	20 July 1988	1 August 1989
Poland	28 September 1981		
Romania		22 May 1991	1 June 1992
Singapore	11 April 1980		
Spain		24 July 1990	1 August 1991
Sweden 4/ 5/	26 May 1981	15 December 1987	1 January 1989
Switzerland		21 February 1990	1 March 1991
Syrian Arab Republic		19 October 1982	1 January 1988
United States of America 3/	31 August 1981	11 December 1986	1 January 1988
Venezuela	28 September 1981		
Ukrainian S.S.R. 1/		3 January 1990	1 February 1991
U.S.S.R. 1/		16 August 1990	1 September 199
Yugoslavia	11 April 1980	27 March 1985	1 January 1988
Zambia		6 June 1986	1 January 1988

Signatures only: 4; ratifications, accessions, approval and acceptance: 32

*/ The Convention was signed by the former German Democratic Republic on 13 August 1981, ratified on 23 February 1989 and entered into force on 1 March 1990.

Declarations and reservations

1/ Upon ratifying the Convention the Governments of Argentina, Byelorussian S.S.R., Chile, Hungary, Ukranian S.S.R. and U.S.S.R. stated, in accordance with articles 12 and 96 of the Convention, that any provision of article 11, article 29 or Part II of the Convention that allows a contract of sale or its modification or termination by agreement or any offer, acceptance or other indication of intention to be made in any form other than in writing, would not apply where any party had his place of business in their respective States.

2/ Upon approving the Convention the Government of China declared that it did not consider itself bound by sub-paragraph (b) of Paragraph 1 of Article 1 and Article 11 as well as the provisions in the Convention relating to the content of Article 11.

3/ Upon ratifying the Convention the Governments of Czechoslovakia and of the United States of America declared that they would not be bound by sub-paragraph (1)(b) of Article 1.

4/ Upon ratifying the Convention the Governments of Denmark, Finland, Norway and Sweden declared in accordance with article 92(1) that they would not be bound by Part II of the Convention (Formation of the Contract).

5/ Upon ratifying the Convention the Governments of Denmark, Finland, Norway and Sweden declared, pursuant to article 94(1) and 94(2), that the Convention would not apply to contracts of sale where the parties have their places of business in Denmark, Finland, Sweden, Iceland or Norway.

6/ Upon ratifying the Convention the Government of Hungary declared that it considered the General Conditions of Delivery of Goods between Organizations of the Member Countries of the Council for Mutual Economic Assistance to be subject to the provisions of article 90 of the Convention.

7/ Upon ratifying the Convention the Government of Germany declared that it would not apply article 1(1)(b) in respect of any state that had made a declaration that that state would not apply article 1(1)(b).

8/ Upon accession the Government of Canada declared that, in accordance with article 93 of the Convention, that the Convention would extend to Alberta, British Columbia, Manitoba, New Brunswick, Newfoundland, Nova Scotia, Ontario, Prince Edward Island and the Northwest Territories.

9/ Upon accession the Government of Canada declared that, in accordance with article 95 of the Convention, with respect to British Columbia, it would not be bound by article 1(1)(b) of the Convention.

5. Convention on the Recognition and Enforcement of Foreign Arbitral Awards (New York, 1958)

State	Signature	Ratification Accession
Algeria 1/ 2/		7 February 1989
Antigua and Barbuda 1/ 2/		2 February 1989
Argentina 1/ 2/ 7/	26 August 1958	14 March 1989
Australia		26 March 1975
Austria		2 May 1961
Bahrain 1/ 2/		6 April 1988
Belgium 1/	10 June 1958	18 August 1975
Benin		16 May 1974
Botswana 1/ 2/		20 December 1971
Bulgaria 1/ 3/	17 December 1958	10 October 1961
Burkina Faso		23 March 1987
Byelorussian SSR 1/ 3/	29 December 1958	15 November 1960
Cameroon		19 February 1988
Canada 4/		12 May 1986
Central African Republic 1/ 2/		15 October 1962
Chile		4 September 1975
China 1/ 2/		22 January 1987
Colombia		25 September 1979
Costa Rica	10 June 1958	26 October 1987
Côte d'Ivoire		1 February 1991
Cuba 1/ 2/ 3/		30 December 1974
Cyprus 1/ 2/		29 December 1980
Czechoslovakia 1/ 3/	3 October 1958	10 July 1959
Democratic Kampuchea		5 January 1960
Denmark 1/ 2/		22 December 1972
Djibouti		14 June 1983
Dominica		28 October 1988
Ecuador 1/ 2/	17 December 1958	3 January 1962

State	Signature	Ratification Accession
Egypt		9 March 1959
El Salvador	10 June 1958	
Finland	29 December 1958	19 January 1962
France 1/	25 November 1958	26 June 1959
Germany */ 1/	10 June 1958	30 June 1961
Ghana		9 April 1968
Greece 1/ 2/		16 July 1962
Guatemala 1/ 2/		21 March 1984
Guinea		23 January 1991
Haiti		5 December 1983
Holy See 1/ 2/		14 May 1975
Hungary 1/ 2/		5 March 1962
India 1/ 2/	10 June 1958	13 July 1960
Indonesia 1/ 2/		7 October 1981
Ireland 1/		12 May 1981
Israel	10 June 1958	5 January 1959
Italy		31 January 1969
Japan 1/		20 June 1961
Jordan	10 June 1958	15 November 1979
Kenya 1/		10 February 1989
Kuwait 1/		28 April 1978
Lesotho		13 June 1989
Luxembourg 1/	11 November 1958	9 September 1983
Madagascar 1/ 2/		16 July 1962
Malaysia 1/ 2/		5 November 1985
Mexico		14 April 1971
Monaco 1/ 2/	31 December 1958	2 June 1982
Morocco 1/		12 February 1959
Netherlands 1/	10 June 1958	24 April 1964
New Zealand 1/		6 January 1983
Niger		14 October 1964
Nigeria 1/ 2/		17 March 1970
Norway 1/ 5/		14 March 1961
Pakistan	30 December 1958	
Panama		10 October 1984
Peru		7 July 1988
Philippines 1/ 2/	10 June 1958	6 July 1967
Poland 1/ 2/	10 June 1958	3 October 1961
Republic of Korea 1/ 2/		8 February 1973
Romania 1/ 2/ 3/		13 September 1961
San Marino		17 May 1979
Singapore 1/		21 August 1986
South Africa		3 May 1976
Spain		12 May 1977
Sri Lanka	30 December 1958	9 April 1962
Sweden	23 December 1958	28 January 1972
Switzerland 1/	29 December 1958	1 June 1965
Syrian Arab Republic		9 March 1959
Thailand		21 December 1959
Trinidad and Tobago 1/ 2/		14 February 1966
Tunisia 1/ 2/		17 July 1967
Ukrainian SSR 1/ 3/	29 December 1958	10 October 1960
USSR 1/ 3/	29 December 1958	24 August 1960
United Kingdom 1/		24 September 1975

State	Signature	Ratification Accession
United Republic of Tanzania 1/		13 October 1964
United States of America 1/ 2/		30 September 1970
Uruguay		30 March 1983
Yugoslavia 1/ 2/ 6/		26 February 1982

Signatures only: 2; ratifications and accessions: 84

*/ The Convention was acceded to by the former German Democratic Republic on 20 February 1975 with reservations 1/, 2/ and 3/.

Declarations and reservations
(Excludes territorial declarations and certain other reservations and declarations of a political nature)

1/ State will apply the Convention to recognition and enforcement of awards made in the territory of another Contracting State.

2/ State will apply the Convention only to differences arising out of legal relationships whether contractual or not which are considered as commercial under the national law.

3/ With regard to awards made in the territory of non-contracting States, State will apply the Convention only to the extent to which these States grant reciprocal treatment.

4/ The Government of Canada has declared that Canada will apply the Convention only to differences arising out of legal relationships, whether contractual or not, which are considered as commercial under the laws of Canada, except in the case of the Province of Quebec where the law does not provide for such limitation.

5/ State will not apply the Convention to differences where the subject matter of the proceedings is immovable property situated in the State, or a right in or to such property.

6/ State will apply the Convention only to those arbitral awards which were adopted after the coming of the Convention into effect.

7/ The present Convention should be construed in accordance with the principles and rules of the National Constitution in force or with those resulting from reforms mandated by the Constitution.

6. United Nations Convention on International Bills of Exchange and International Promissory Notes (New York, 1988)

State	Signature	Ratification Accession	Entry into force
Canada	7 December 1989		
Guinea		23 January 1991	
USSR	30 June 1990		
United States of America	29 June 1990		

Signatures only: 3; ratifications and accessions: 1

Ratifications and accessions necessary to bring the Convention into force: 10

7. United Nations Convention on the Liability of Operators of Transport Terminals in International Trade (Vienna, 1991)

State	Signature	Ratification Accession	Entry into force
Mexico	19 April 1991		
Philippines	19 April 1991		
Spain	19 April 1991		

Signatures only: 3

Ratifications and accessions necessary to bring the Convention into force: 5

8. UNCITRAL Model Law on International Commercial Arbitration (1985)

Legislation based on the UNCITRAL Model Law on International Commercial Arbitration has been enacted in Australia, Bulgaria, Canada (by the Federal Parliament and by the Legislatures of all Provinces and Territories), Cyprus, Hong Kong, Nigeria, Scotland and, within the United States of America, California, Connecticut and Texas.